



Order Filed on February 10, 2017
by Clerk U.S. Bankruptcy Court
District of New Jersey

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-2(c)
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In Re:

BRIAN G. FLUELLEN

Debtor.

Case No.: **15-31758 (JKS)**

Hearing Date: December 8, 2016 @ 11:00 a.m.

Judge: John K. Sherwood, U.S.B.J.

**ORDER GRANTING APPROVAL OF ENTRY OF LOSS MITIGATION PROGRAM
PURSUANT TO SECTION V, 1(b)**

The relief set forth on the following pages, numbered two (2) through (4) is hereby
ORDERED.

DATED: February 10, 2017



Honorable John K. Sherwood
United States Bankruptcy Court

Debtor: BRIAN G. FLUELLEN

Case No.: 15-31758

**Caption of Order: ORDER GRANTING APPROVAL OF ENTRY LOSS MITIGATION
PROGRAM PURSUANT TO SECTION V, 1(b)**

Upon the Motion of Steven D. Pertuz, Esq., on behalf of the debtor, Brian G. Fluellen (hereinafter collectively "Movant"), under Loss Mitigation Program and Procedures Section V, 1(b) to seek approval of entry of Loss Mitigation Program as hereinafter set forth, and the Court having considered the papers submitted in support of and in opposition to the Motion; and for good cause shown,

ORDERED as follows:

1. The debtor's request to participate in the Court's Loss Mitigation Program is granted as it pertains to 32 Richard Street, Jersey City, NJ 07305, and:
 - The debtor and creditor, PNC Mortgage, are directed to participate in Loss Mitigation and are bound by the court's Loss Mitigation Program and Procedures (LMP).
 - The Loss Mitigation process shall terminate on 5/10/17 (90 days from the date of the entry of this order, unless extended as set forth in Section IX.B. of the LMP).
 - The debtor must make adequate protection payments to the creditor during the Loss Mitigation Period in the amount of \$1,500.00. See Sections V.A.1.a and VII.B. of the LMP.
 - If a relief from stay motion pursuant to section 362(d) is pending upon entry of this Order or if such a motion is filed during the loss mitigation period, the court may condition the stay upon compliance by the debtors with the fulfillment of the debtor's obligations under the Loss

Mitigation Order. If the debtor fail to comply with the loss mitigation process and this Order, the creditor may apply to terminate the Order as specified in Section IX.C of the LMP and to obtain relief from the stay.

- Within 14 days of termination of the loss mitigation period, the debtors must file with the court and serve all interested parties, the Local Form, Loss Mitigation Final Report as set forth in Section VII.C. of the LMP.
- Extension of the LMP may be requested as specified in Section IX.B of the LMP.

2. It is ORDERED that parties shall utilize the Loss Mitigation Portal during the Loss Mitigation Period, and it is further ORDERED that:

- Within 14 days of the date of this order, the creditor shall ensure that it is registered on the loss mitigation portal and that all of its initial loss mitigation document requirements are available on the portal.
- Within 35 days of the date of this order, the debtors shall upload and submit through the loss mitigation portal a completed Creditor's Initial Package.
- Within 10 business days of the debtors' submission of the Creditor's Initial Package, the creditor shall acknowledge receipt of same and designate the single point of contact for debtors' review.

3. It is ORDERED that within 14 days of the date of this order, the creditor shall designate a single point of contact, including the name and contact information of the contact and shall specify to the debtors the forms and documentation the creditor requires to initiate a review of the debtors' loss mitigation options.

- Within 21 days after receipt of the creditor's specifications regarding forms and documentation, the debtors shall provide the requested information.
 - Within 10 business days of the debtors' submission, the creditor shall acknowledge receipt of the documentation.
4. The Movant shall serve this Order on the Chapter 13 Trustee, counsel for PNC Mortgage and any other party who entered an appearance on the motion.

Certificate of Notice Page 5 of 5
United States Bankruptcy Court
District of New Jersey

In re:
Brian G. Fluellen
Debtor

Case No. 15-31758-JKS
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-2

User: admin
Form ID: pdf903

Page 1 of 1
Total Noticed: 1

Date Rcvd: Feb 15, 2017

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Feb 17, 2017.

db Brian G. Fluellen, PSC 80 Box 11126, APO, AP 96367-0014

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
NONE. TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE. TOTAL: 0

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Feb 17, 2017

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on February 15, 2017 at the address(es) listed below:

Alexandra T. Garcia on behalf of Creditor PNC BANK, N.A. NJECFMAIL@mw-c-law.com
Denise E. Carlon on behalf of Creditor PNC Bank, National Association dcarlon@kmlawgroup.com,
bkgroup@kmlawgroup.com
Marie-Ann Greenberg magecf@magtrustee.com
Steven D. Pertuz on behalf of Debtor Brian G. Fluellen pertuzlaw@verizon.net,
G16461@notify.cincompass.com

TOTAL: 4